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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/764,923	01/26/2004	Victor A. Quattrini	639-011497-US (PAR)	9635

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EXAMINER
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HAGEMAN, MARK

ART UNIT	PAPER NUMBER
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3653

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09/11/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/764,923	<b>Applicant(s)</b> QUATTRINI ET AL.	
	<b>Examiner</b> Mark Hageman	<b>Art Unit</b> 3653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 02 July 0207.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8 is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6-27-2007 has been entered.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-7 and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by US 2004/0102148 to Perkitny et al.

-Regarding claim 1- Perkitny discloses, a device for manually loading coins in a coin canister of a coin dispenser, the canister having a series of tubular receptacles (36) for holding a stack of coins, the device comprising:

a stand (32) constructed to receive the coin canister and secure the coin canister in a loading position;

a funnel (68) having a body portion and a spout portion mounted for sliding movement on the coin canister along the series of tubular receptacles for alignment with one of the series of tubular receptacles, the funnel body having an opening (para 0059 lines 2-4) to allow the insertion of coins and an internal coin passage constructed to provide a flow path for the coins to pass into the coin canister receptacles in a metered flow through an exit (160) constructed in the spout.

-Regarding claim 2- Perkitny discloses a device, according to claim 1, wherein the funnel is mounted above a manifold (64), the manifold constructed to releasably engage the coin canister, the manifold having a series of tubular passages (152a-152e) for alignment with said series of tubular receptacles of the coin canister; and

wherein the funnel is moved above said manifold for alignment with one of the series of tubular passages to form a continuous passage into the tubular receptacles of the coin canister. (funnel 68 is capable of movement figure 1B and para 0042 lines 9-11, see MPEP 2114).

-Regarding claim 3- Perkitny discloses a device, according to claim 2, wherein the funnel is constructed with an exit opening of a size sufficient to accommodate the largest coin of a particular set of coins (160 and para 0059 line3) and each of the tubular passages of the manifold are constructed with an upper opening (142-148) of a common size with the funnel exit and a lower opening (152a-152e) having a coin specific diameter in common with the tubular receptacle with which the respective tubular passage is aligned (para 0055 lines 7-10).

-Regarding claim 4- Perkitny discloses a device, according to claim 1, wherein the funnel further comprises:

a ramp (216) extending transverse to the coin passage to divide the coin passage into an upper stage and a lower stage to elongate the path by which the coins pass through the funnel, thereby encouraging a metered flow of coins through the funnel (para 0069 lines 3-5).

-Regarding claim 5- Perkitny discloses a device, according to claim 1, wherein the stand is constructed having features (32) which engage the tubular

receptacles of the canister to square off the tubular receptacles and assist the seating of the coins as the coins are loaded therein.

-Regarding claim 6- Perkitny discloses a device, according to claim 1, further comprising a front cover (40) that engages the canister to provide a guide surface for falling coins by increasing a circumferential surface of the tubular receptacles.

-Regarding claim 7- Perkitny discloses a device, according to claim 2, wherein the funnel is mounted on a collar (20) and the collar is mounted on the coin loader above the manifold for sliding movement, the collar being constructed with an opening therein to receive the spout of the funnel.

-Regarding claim 10- Perkitny discloses, a device for manually loading coins, according to claim 1, wherein the stand is constructed to receive the canister and hold the canister angled from the vertical (30, 32, 34, 36 in figure 1A).

4. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by US 1,347,179 to Schnitzspahn. Schnitzspahn discloses:

a device for manually loading coins in a coin canister of a coin dispenser, the canister having a series of tubular receptacles (6 area defined by lugs) for holding a stack of coins, the device comprising:

a stand (7) constructed to receive the coin canister and secure the coin canister in a loading position;

a funnel (1) having a body portion and a spout portion mounted for sliding movement on the coin canister along the series of tubular receptacles for alignment with one of the series of tubular receptacles, the funnel body having an opening (figure 1 and p1 lines 31+) to allow the insertion of coins and an internal coin passage constructed to provide a flow path for the coins to pass into the coin canister receptacles in a metered flow through an exit (3 and p1 lines 39+) constructed in the spout.

Examiner contends that the areas defined by lugs 6 are capable of holding more than one coin and would do so if the coins were relatively thin compared to the lugs and the slit. US 992,963 discloses a similar device and discusses a similar situation on page 1 lines 60+.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Perkitny in view of US 2002/0043958 to Yamaguchi et al.

Perkitny discloses all the limitations of the claim except, brackets constructed to receive said coin loading device for storage. Yamaguchi teaches brackets (7) constructed to receive said coin loading device for storage, such that "holder 1... can be retained in the operative position stably" (para 0069 lines 4-5).

It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to have modified the stand of Perkitny to include the brackets taught by Yamaguchi for the purpose of retaining the coin-loading device, in a position stably.

***Allowable Subject Matter***

7. Claim 8 is allowed.



***Response to Arguments***

8. Applicant's arguments filed 6-27-2007 have been fully considered but they are not persuasive. Applicant stated, "the funnel 68 in Perkitny et al is not slidably movable relative to the coin canister received by the stand for alignment of the spout with one of the tubular receptacles." Examiner disagrees and maintains that the funnel is mounted for sliding movement on the coin canister (i.e. it can be removed para 42 lines 9+) and that when the funnel is in place it is aligned with the tubular receptacles and therefore it will be aligned with one of the series of tubular receptacles as claimed. The claims states "a funnel having a body portion and a spout portion mounted for sliding movement on the coin canister along the series of tubular receptacles for alignment with one of the series of tubular receptacles,..." Examiner maintains that Perkitny anticipates these features in that the funnel is slid on the coin canister along the series of tubular receptacles when it is put into place and is aligned with one of the tubular receptacles when in place. Examiner suggests that positively claiming two different discrete positions of the funnel in registration with two different individual tubes would likely overcome the Perkitny reference. As claimed examiner contends that the installation of the funnel in the Perkitny reference still reads on the claim.

***Conclusion***


9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Hageman whose telephone number is (571) 272-3027. The examiner can normally be reached on M-F 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Mackey can be reached on (571) 272-6916. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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